



General Assembly

Substitute Bill No. 6357

January Session, 2011

* ____HB06357JUD__042711__ *

**AN ACT CONCERNING ADMINISTRATIVE HEARINGS UNDER THE
MEDICAID ELECTRONIC HEALTH RECORD INCENTIVE PROGRAM.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-34 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Commissioner of Social Services, in consultation with the
4 Commissioner of Public Health, shall take such action as necessary to
5 meet the qualification criteria established pursuant to Section 4201 of
6 the American Recovery and Reinvestment Act of 2009, P.L. 111-5 to
7 obtain (1) matching funds for the Department of Social Services'
8 administrative planning activities related to health information
9 technology; and (2) incentive payments for hospitals and eligible
10 professionals who are meaningful electronic health record users as
11 described in said act. The Commissioner of Social Services shall
12 disburse any federal incentive funds for hospitals and eligible
13 professionals that the commissioner receives pursuant to this section to
14 each hospital and eligible professional.

15 (b) The Commissioner of Social Services shall, in accordance with
16 Section 4201 of the American Recovery and Reinvestment Act of 2009,
17 P.L. 111-5, develop and implement a Medicaid health information
18 technology plan and shall establish a Medicaid electronic health record
19 incentive program to provide incentives for hospitals and other health

20 care providers which adopt and meaningfully use electronic health
 21 records to improve patient health and the quality and efficiency of
 22 health care service delivery.

23 (c) A hospital or other health care provider that receives an adverse
 24 decision by the Commissioner of Social Services under the Medicaid
 25 electronic health record incentive program concerning the hospital's or
 26 provider's: (1) Eligibility for incentive payments; (2) incentive payment
 27 amounts; (3) demonstration of adopting, implementing or upgrading
 28 an electronic health record; or (4) fulfillment of meaningful use criteria
 29 may request review of the commissioner's decision, in accordance with
 30 42 CFR 495.370. Upon receipt of such request, the commissioner shall
 31 conduct an initial review and notify the provider of the determination
 32 based on such review. The provider may request an administrative
 33 hearing, in accordance with chapter 54, to contest the department's
 34 determination.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	17b-34
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HS *Joint Favorable Subst.*

JUD *Joint Favorable*